

BARRY J. PORTMAN
Federal Public Defender
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Counsel for Defendant SULLIVAN

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,)	
)	No. CR 4-05-70804 WDB
Plaintiff,)	
)	STIPULATION AND [PROPOSED]
v.)	ORDER CONTINUING COURT
)	DATE AND EXCLUSION OF TIME
)	UNDER THE SPEEDY TRIAL ACT,
RICHARD JOSEPH SULLIVAN,)	18 U.S.C. § 3161 <u>ET SEQ.</u>
)	
Defendant.)	

IT IS HEREBY STIPULATED, by and between the parties to this action, that the next court date, currently scheduled for Thursday, November 10, 2005, at 9:30 a.m. in San Francisco, CA, before Honorable Magistrate Edward M. Chen, may be continued to Monday, November 14, 2005, at 10:00 a.m. in Oakland, California, before Honorable Magistrate Wayne D. Brazil for identification of counsel and status regarding the detention hearing. Defense counsel has discussed with Mr. Sullivan the fact that he has the right to a detention hearing within five days of his initial appearance, which was on Monday, November 7, 2005. Mr. Sullivan agrees to waiving the timing of his detention hearing. In addition, the parties agree that the time from Mr. Sullivan's

1 initial appearance on November 7, 2005, until November 14, 2005, should be excluded in
2 accordance with the provisions of the Speedy Trial Act, 18 U.S.C. §§ 3161(h)(8)(A) and (B)(iv)
3 for effective preparation of counsel in order to allow defense counsel to obtain discovery from the
4 government and start to prepare its investigation.
5

6 DATED: November 8, 2005

/S/ _____
JOYCE LEAVITT
Assistant Federal Public Defender

9
10 DATED: November 8, 2005

/S/ _____
BRIAN STRETCH
Assistant United States Attorney

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12
13
14 SIGNATURE ATTESTATION

15 I hereby attest that I have on file all holograph signatures indicated by a “conformed”
16 signature (“/S/”) within this efiled document.
17

18 DATED: November 8, 2005

/S/ _____
MARILEE BARBEAU
Legal Secretary

ORDER

GOOD CAUSE APPEARING, IT IS HEREBY ORDERED that the next court date, currently scheduled for Thursday, November 10, 2005, at 9:30 a.m. in San Francisco, CA, before Honorable Magistrate Edward M. Chen, is hereby continued to Monday, November 14, 2005, at 10:00 a.m. in Oakland, California, before Honorable Magistrate Wayne D. Brazil for identification of counsel and status regarding the detention hearing.

IT IS FURTHER ORDERED that the time from November 7, 2005, until November 14, 2005, shall be excluded in accordance with the provisions of the Speedy Trial Act, 18 U.S.C. §§ 3161(h)(8)(A) and (B)(iv) for adequate preparation of counsel in order to allow defense counsel to obtain discovery from the government and start to prepare its investigation.

SO ORDERED.

DATED: November 9, 2005

EDWARD M. CHEN
United States Magistrate Judge

